

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AUGME TECHNOLOGIES, INC.,

Case No. C09-05386 JCS

Plaintiff,

v.

YAHOO!, INC.,

Defendant.

**ORDER GRANTING AUGME’S
MOTION FOR LEAVE TO AMEND
INFRINGEMENT CONTENTIONS, AND
GRANTING YAHOO!’S CROSS-
MOTION FOR LEAVE TO AMEND
INVALIDITY CONTENTIONS [Docket
Nos. 240 and 245]**

On March 12, 2012, Plaintiff Augme Technologies, Inc. (“Augme”), filed a Motion for Leave to Amend Infringement Contentions (“Motion”). *See* Dkt. No. 240. Specifically, Augme moves for leave to amend its Patent L.R. 3-1 Infringement Contentions “to incorporate additional information from the confidential source code, documents and deposition testimony recently provided by Yahoo!, Inc..” Motion at 1. On March 22, 2012, Defendant Yahoo!, Inc. (“Yahoo!”) filed an opposition to Augme’s Motion as well as a Cross-Motion for Leave to Amend Invalidity Contentions (“Cross-Motion”). *See* Dkt. No. 245. Yahoo!’s amendments “primarily disclose additional page citations within previously-identified references, and add three new references.” Cross-Motion at 12. Augme opposes Yahoo!’s Cross-Motion. *See* Augme’s Reply in Support of its Motion for Leave to Amend Infringement Contentions and in Opposition to Yahoo!’s Cross-Motion, Dkt. No. 251. The Court finds that the Motion and Cross-Motion are suitable for determination without oral argument, pursuant to Civil Local Rule 7–1(b). Accordingly, the hearing set for April 13, 2012 is vacated.

1 The Court, having considered the Motion and Cross-Motion, and finding good cause
2 supporting both, finds that the Motion and Cross-Motion should be, and are hereby, GRANTED.

3 IT IS SO ORDERED.

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5 Dated: April 5, 2012


6 JOSEPH C. SPERO
7 United States Magistrate Judge
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